THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 3663 of 2007

26-02-2007

Between:-

M/s. Invent Agro Products Pvt., Ltd.,
Rep., by its Managing Director,
Yakkati Diwakar, r/o Challapalli (V & M),
Krishna district.

Petitioner

And

Allahabad Bank rep., by
Its Assistant General Manager/
Authorised Officer,
Himayathnagar, Hyderabad and another.

Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 3663 of 2007

Oral order:

The petitioner obtained a cash credit loan of Rs.51,50,000-00; a term loan of Rs.67,80,000-00 and Rs.17,50,000-00 towards working capital term loan from the first respondent-Bank for its business purposes. This was in January, 2005. It defaulted in the repayment of the installments and interest. It's liability to pay the installments and interest in terms of the originally agreed terms was extended by a communication from the Bank dated 14-03-2006. Even within the extended time, the petitioner failed to pay the amount and committed a further default.

Thereafter, proceedings under Section 13 (2) of the Securitisation and Reconstruction of Financial Assets and

Enforcement of Security Interest Act, 2002 (Act No. 54 of 2002) (for short 'the Act') were issued on 20-09-2006. The petitioner submitted its explanation spelling out several reasons why it persistently defaulted and sought further time and

re-schedule of its obligations. Such representations were made on 16-11-2006 and 11-12-2006. While so, a notice under Section 13 (4) of the Act was issued on 18-01-2007. On 21-02-2007 the petitioner reiterated the earlier representations for re-schedulement of the loan. The petitioner is aggrieved that none of its representation to the respondent-bank for extension of the period of his liability or re-schedulement of loan, were considered by the bank. The petitioner does not, in this writ petition, assail the proceedings initiated against it under the provisions of the Act.

In the light of the limited grievance of the petitioner, the writ petition is disposed of, at the stage of admission, directing the respondents to consider and dispose of the representations dated

16-11-2006; 11-12-2006 and 21-02-2007, expeditiously and in accordance with law. No costs.

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GODA RAGHURAM, J

Dated:26-02-2007
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